## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

UNITED STATES OF AMERICA	)	
	)	Case No. 1:04CR00072
v.	)	ORDER
STEVEN WINFIELD TOMERSHEA,	)	By: James P. Jones
Defendant.	)	United States District Judge

For the reasons stated in the accompanying Opinion, it is **ORDERED** as follows:

- 1. The defendant's pro se motion seeking to reopen his long-closed case (ECF No. 99) is DENIED;
- 2. The Clerk is DIRECTED to redocket the motion (ECF No. 99) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255;
- 3. The § 2255 motion is DENIED without prejudice as successive; and
- 4. The § 2255 motion is stricken from the active docket of the court.

ENTER: November 6, 2013

/s/ James P. Jones
United States District Judge